



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB4650

by Rep. John E. Bradley

SYNOPSIS AS INTRODUCED:

625 ILCS 5/6-208.1	from Ch. 95 1/2, par. 6-208.1
625 ILCS 5/11-501.1	from Ch. 95 1/2, par. 11-501.1
625 ILCS 5/11-501.2	from Ch. 95 1/2, par. 11-501.2

Amends the Illinois Vehicle Code. Provides that a person who leaves the scene of an accident in which evidence of the person's intoxication or drugged state at the time of leaving the scene is apparent shall be deemed to have refused to submit to the chemical test or tests of blood, breath, or urine for the purpose of determining the content of alcohol, other drug or drugs, or intoxicating compound or compounds or any combination thereof in the person's blood and shall result in the statutory summary suspension of the person's privilege to operate a motor vehicle and will also result in the disqualification of the person's privilege to operate a commercial motor vehicle, if the person is a CDL holder. Effective immediately.

LRB095 18685 RLC 44784 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning transportation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Vehicle Code is amended by changing
5 Sections 6-208.1, 11-501.1, and 11-501.2 as follows:

6 (625 ILCS 5/6-208.1) (from Ch. 95 1/2, par. 6-208.1)

7 (Text of Section before amendment by P.A. 95-400)

8 Sec. 6-208.1. Period of statutory summary alcohol, other
9 drug, or intoxicating compound related suspension.

10 (a) Unless the statutory summary suspension has been
11 rescinded, any person whose privilege to drive a motor vehicle
12 on the public highways has been summarily suspended, pursuant
13 to Section 11-501.1, shall not be eligible for restoration of
14 the privilege until the expiration of:

15 1. Six months from the effective date of the statutory
16 summary suspension for a refusal or failure to complete a
17 test or tests to determine the alcohol, drug, or
18 intoxicating compound concentration, pursuant to Section
19 11-501.1 or for leaving the scene of an accident in
20 violation of Article IV of Chapter 11 in which evidence of
21 the person's intoxication or drugged state at the time of
22 leaving the scene is apparent; or

23 2. Three months from the effective date of the

1 statutory summary suspension imposed following the
2 person's submission to a chemical test which disclosed an
3 alcohol concentration of 0.08 or more, or any amount of a
4 drug, substance, or intoxicating compound in such person's
5 breath, blood, or urine resulting from the unlawful use or
6 consumption of cannabis listed in the Cannabis Control Act,
7 a controlled substance listed in the Illinois Controlled
8 Substances Act, an intoxicating compound listed in the Use
9 of Intoxicating Compounds Act, or methamphetamine as
10 listed in the Methamphetamine Control and Community
11 Protection Act, pursuant to Section 11-501.1; or

12 3. Three years from the effective date of the statutory
13 summary suspension for any person other than a first
14 offender who refuses or fails to complete a test or tests
15 to determine the alcohol, drug, or intoxicating compound
16 concentration pursuant to Section 11-501.1 or who leaves
17 the scene of an accident in violation of Article IV of
18 Chapter 11 in which evidence of the person's intoxication
19 or drugged state at the time of leaving the scene is
20 apparent; or

21 4. One year from the effective date of the summary
22 suspension imposed for any person other than a first
23 offender following submission to a chemical test which
24 disclosed an alcohol concentration of 0.08 or more pursuant
25 to Section 11-501.1 or any amount of a drug, substance or
26 compound in such person's blood or urine resulting from the

1 unlawful use or consumption of cannabis listed in the
2 Cannabis Control Act, a controlled substance listed in the
3 Illinois Controlled Substances Act, an intoxicating
4 compound listed in the Use of Intoxicating Compounds Act,
5 or methamphetamine as listed in the Methamphetamine
6 Control and Community Protection Act.

7 (b) Following a statutory summary suspension of the
8 privilege to drive a motor vehicle under Section 11-501.1,
9 driving privileges shall be restored unless the person is
10 otherwise suspended, revoked, or cancelled by this Code. If the
11 court has reason to believe that the person's driving privilege
12 should not be restored, the court shall notify the Secretary of
13 State prior to the expiration of the statutory summary
14 suspension so appropriate action may be taken pursuant to this
15 Code.

16 (c) Driving privileges may not be restored until all
17 applicable reinstatement fees, as provided by this Code, have
18 been paid to the Secretary of State and the appropriate entry
19 made to the driver's record.

20 (d) Where a driving privilege has been summarily suspended
21 under Section 11-501.1 and the person is subsequently convicted
22 of violating Section 11-501, or a similar provision of a local
23 ordinance, for the same incident, any period served on
24 statutory summary suspension shall be credited toward the
25 minimum period of revocation of driving privileges imposed
26 pursuant to Section 6-205.

1 (e) Following a statutory summary suspension of driving
2 privileges pursuant to Section 11-501.1, for a first offender,
3 the circuit court may, after at least 30 days from the
4 effective date of the statutory summary suspension, issue a
5 judicial driving permit as provided in Section 6-206.1.

6 (f) Subsequent to an arrest of a first offender, for any
7 offense as defined in Section 11-501 or a similar provision of
8 a local ordinance, following a statutory summary suspension of
9 driving privileges pursuant to Section 11-501.1, for a first
10 offender, the circuit court may issue a court order directing
11 the Secretary of State to issue a judicial driving permit as
12 provided in Section 6-206.1. However, this JDP shall not be
13 effective prior to the 31st day of the statutory summary
14 suspension.

15 (g) Following a statutory summary suspension of driving
16 privileges pursuant to Section 11-501.1 where the person was
17 not a first offender, as defined in Section 11-500, the
18 Secretary of State may not issue a restricted driving permit.

19 (h) (Blank).

20 (Source: P.A. 95-355, eff. 1-1-08.)

21 (Text of Section after amendment by P.A. 95-400)

22 Sec. 6-208.1. Period of statutory summary alcohol, other
23 drug, or intoxicating compound related suspension.

24 (a) Unless the statutory summary suspension has been
25 rescinded, any person whose privilege to drive a motor vehicle

1 on the public highways has been summarily suspended, pursuant
2 to Section 11-501.1, shall not be eligible for restoration of
3 the privilege until the expiration of:

4 1. Twelve months from the effective date of the
5 statutory summary suspension for a refusal or failure to
6 complete a test or tests to determine the alcohol, drug, or
7 intoxicating compound concentration, pursuant to Section
8 11-501.1 or for leaving the scene of an accident in
9 violation of Article IV of Chapter 11 in which evidence of
10 the person's intoxication or drugged state at the time of
11 leaving the scene is apparent; or

12 2. Six months from the effective date of the statutory
13 summary suspension imposed following the person's
14 submission to a chemical test which disclosed an alcohol
15 concentration of 0.08 or more, or any amount of a drug,
16 substance, or intoxicating compound in such person's
17 breath, blood, or urine resulting from the unlawful use or
18 consumption of cannabis listed in the Cannabis Control Act,
19 a controlled substance listed in the Illinois Controlled
20 Substances Act, an intoxicating compound listed in the Use
21 of Intoxicating Compounds Act, or methamphetamine as
22 listed in the Methamphetamine Control and Community
23 Protection Act, pursuant to Section 11-501.1; or

24 3. Three years from the effective date of the statutory
25 summary suspension for any person other than a first
26 offender who refuses or fails to complete a test or tests

1 to determine the alcohol, drug, or intoxicating compound
2 concentration pursuant to Section 11-501.1 or who leaves
3 the scene of an accident in violation of Article IV of
4 Chapter 11 in which evidence of the person's intoxication
5 or drugged state at the time of leaving the scene is
6 apparent; or

7 4. One year from the effective date of the summary
8 suspension imposed for any person other than a first
9 offender following submission to a chemical test which
10 disclosed an alcohol concentration of 0.08 or more pursuant
11 to Section 11-501.1 or any amount of a drug, substance or
12 compound in such person's blood or urine resulting from the
13 unlawful use or consumption of cannabis listed in the
14 Cannabis Control Act, a controlled substance listed in the
15 Illinois Controlled Substances Act, an intoxicating
16 compound listed in the Use of Intoxicating Compounds Act,
17 or methamphetamine as listed in the Methamphetamine
18 Control and Community Protection Act.

19 (b) Following a statutory summary suspension of the
20 privilege to drive a motor vehicle under Section 11-501.1,
21 driving privileges shall be restored unless the person is
22 otherwise suspended, revoked, or cancelled by this Code. If the
23 court has reason to believe that the person's driving privilege
24 should not be restored, the court shall notify the Secretary of
25 State prior to the expiration of the statutory summary
26 suspension so appropriate action may be taken pursuant to this

1 Code.

2 (c) Driving privileges may not be restored until all
3 applicable reinstatement fees, as provided by this Code, have
4 been paid to the Secretary of State and the appropriate entry
5 made to the driver's record.

6 (d) Where a driving privilege has been summarily suspended
7 under Section 11-501.1 and the person is subsequently convicted
8 of violating Section 11-501, or a similar provision of a local
9 ordinance, for the same incident, any period served on
10 statutory summary suspension shall be credited toward the
11 minimum period of revocation of driving privileges imposed
12 pursuant to Section 6-205.

13 (e) Following a statutory summary suspension of driving
14 privileges pursuant to Section 11-501.1, for a first offender,
15 the circuit court shall, unless the offender has opted in
16 writing not to have a monitoring device driving permit issued,
17 order the Secretary of State to issue a monitoring device
18 driving permit as provided in Section 6-206.1. A monitoring
19 device driving permit shall not be effective prior to the 31st
20 day of the statutory summary suspension.

21 (f) (Blank).

22 (g) Following a statutory summary suspension of driving
23 privileges pursuant to Section 11-501.1 where the person was
24 not a first offender, as defined in Section 11-500, the
25 Secretary of State may not issue a restricted driving permit.

26 (h) (Blank).

1 (Source: P.A. 95-355, eff. 1-1-08; 95-400, eff. 1-1-09; revised
2 12-21-07.)

3 (625 ILCS 5/11-501.1) (from Ch. 95 1/2, par. 11-501.1)

4 Sec. 11-501.1. Suspension of drivers license; statutory
5 summary alcohol, other drug or drugs, or intoxicating compound
6 or compounds related suspension; implied consent.

7 (a) Any person who drives or is in actual physical control
8 of a motor vehicle upon the public highways of this State shall
9 be deemed to have given consent, subject to the provisions of
10 Section 11-501.2, to a chemical test or tests of blood, breath,
11 or urine for the purpose of determining the content of alcohol,
12 other drug or drugs, or intoxicating compound or compounds or
13 any combination thereof in the person's blood if arrested, as
14 evidenced by the issuance of a Uniform Traffic Ticket, for any
15 offense as defined in Section 11-501 or a similar provision of
16 a local ordinance, or if arrested for violating Section 11-401.
17 The test or tests shall be administered at the direction of the
18 arresting officer. The law enforcement agency employing the
19 officer shall designate which of the aforesaid tests shall be
20 administered. A urine test may be administered even after a
21 blood or breath test or both has been administered. For
22 purposes of this Section, an Illinois law enforcement officer
23 of this State who is investigating the person for any offense
24 defined in Section 11-501 may travel into an adjoining state,
25 where the person has been transported for medical care, to

1 complete an investigation and to request that the person submit
2 to the test or tests set forth in this Section. The
3 requirements of this Section that the person be arrested are
4 inapplicable, but the officer shall issue the person a Uniform
5 Traffic Ticket for an offense as defined in Section 11-501 or a
6 similar provision of a local ordinance prior to requesting that
7 the person submit to the test or tests. The issuance of the
8 Uniform Traffic Ticket shall not constitute an arrest, but
9 shall be for the purpose of notifying the person that he or she
10 is subject to the provisions of this Section and of the
11 officer's belief of the existence of probable cause to arrest.
12 Upon returning to this State, the officer shall file the
13 Uniform Traffic Ticket with the Circuit Clerk of the county
14 where the offense was committed, and shall seek the issuance of
15 an arrest warrant or a summons for the person.

16 (b) Any person who is dead, unconscious, or who is
17 otherwise in a condition rendering the person incapable of
18 refusal, shall be deemed not to have withdrawn the consent
19 provided by paragraph (a) of this Section and the test or tests
20 may be administered, subject to the provisions of Section
21 11-501.2.

22 (b-5) A person who leaves the scene of an accident in
23 violation of Article IV of Chapter 11 in which evidence of the
24 person's intoxication or drugged state at the time of leaving
25 the scene is apparent shall be deemed to have refused to submit
26 to the test or tests provided for in subsection (a) and shall

1 result in the statutory summary suspension of the person's
2 privilege to operate a motor vehicle, as provided in Section
3 6-208.1 of this Code, and will also result in the
4 disqualification of the person's privilege to operate a
5 commercial motor vehicle, as provided in Section 6-514 of this
6 Code, if the person is a CDL holder.

7 (c) A person requested to submit to a test as provided
8 above shall be warned by the law enforcement officer requesting
9 the test that a refusal to submit to the test will result in
10 the statutory summary suspension of the person's privilege to
11 operate a motor vehicle, as provided in Section 6-208.1 of this
12 Code, and will also result in the disqualification of the
13 person's privilege to operate a commercial motor vehicle, as
14 provided in Section 6-514 of this Code, if the person is a CDL
15 holder. The person shall also be warned by the law enforcement
16 officer that if the person submits to the test or tests
17 provided in paragraph (a) of this Section and the alcohol
18 concentration in the person's blood or breath is 0.08 or
19 greater, or any amount of a drug, substance, or compound
20 resulting from the unlawful use or consumption of cannabis as
21 covered by the Cannabis Control Act, a controlled substance
22 listed in the Illinois Controlled Substances Act, an
23 intoxicating compound listed in the Use of Intoxicating
24 Compounds Act, or methamphetamine as listed in the
25 Methamphetamine Control and Community Protection Act is
26 detected in the person's blood or urine, a statutory summary

1 suspension of the person's privilege to operate a motor
2 vehicle, as provided in Sections 6-208.1 and 11-501.1 of this
3 Code, and a disqualification of the person's privilege to
4 operate a commercial motor vehicle, as provided in Section
5 6-514 of this Code, if the person is a CDL holder, will be
6 imposed.

7 A person who is under the age of 21 at the time the person
8 is requested to submit to a test as provided above shall, in
9 addition to the warnings provided for in this Section, be
10 further warned by the law enforcement officer requesting the
11 test that if the person submits to the test or tests provided
12 in paragraph (a) of this Section and the alcohol concentration
13 in the person's blood or breath is greater than 0.00 and less
14 than 0.08, a suspension of the person's privilege to operate a
15 motor vehicle, as provided under Sections 6-208.2 and 11-501.8
16 of this Code, will be imposed. The results of this test shall
17 be admissible in a civil or criminal action or proceeding
18 arising from an arrest for an offense as defined in Section
19 11-501 of this Code or a similar provision of a local ordinance
20 or pursuant to Section 11-501.4 in prosecutions for reckless
21 homicide brought under the Criminal Code of 1961. These test
22 results, however, shall be admissible only in actions or
23 proceedings directly related to the incident upon which the
24 test request was made.

25 (d) If the person refuses testing or submits to a test that
26 discloses an alcohol concentration of 0.08 or more, or any

1 amount of a drug, substance, or intoxicating compound in the
2 person's breath, blood, or urine resulting from the unlawful
3 use or consumption of cannabis listed in the Cannabis Control
4 Act, a controlled substance listed in the Illinois Controlled
5 Substances Act, an intoxicating compound listed in the Use of
6 Intoxicating Compounds Act, or methamphetamine as listed in the
7 Methamphetamine Control and Community Protection Act, the law
8 enforcement officer shall immediately submit a sworn report to
9 the circuit court of venue and the Secretary of State,
10 certifying that the test or tests was or were requested under
11 paragraph (a) and the person refused to submit to a test, or
12 tests, or submitted to testing that disclosed an alcohol
13 concentration of 0.08 or more.

14 (e) Upon receipt of the sworn report of a law enforcement
15 officer submitted under paragraph (d), the Secretary of State
16 shall enter the statutory summary suspension and
17 disqualification for the periods specified in Sections 6-208.1
18 and 6-514, respectively, and effective as provided in paragraph
19 (g).

20 If the person is a first offender as defined in Section
21 11-500 of this Code, and is not convicted of a violation of
22 Section 11-501 of this Code or a similar provision of a local
23 ordinance, then reports received by the Secretary of State
24 under this Section shall, except during the actual time the
25 Statutory Summary Suspension is in effect, be privileged
26 information and for use only by the courts, police officers,

1 prosecuting authorities or the Secretary of State. However,
2 beginning January 1, 2008, if the person is a CDL holder, the
3 statutory summary suspension shall also be made available to
4 the driver licensing administrator of any other state, the U.S.
5 Department of Transportation, and the affected driver or motor
6 carrier or prospective motor carrier upon request. Reports
7 received by the Secretary of State under this Section shall
8 also be made available to the parent or guardian of a person
9 under the age of 18 years that holds an instruction permit or a
10 graduated driver's license, regardless of whether the
11 statutory summary suspension is in effect.

12 (f) The law enforcement officer submitting the sworn report
13 under paragraph (d) shall serve immediate notice of the
14 statutory summary suspension on the person and the suspension
15 and disqualification shall be effective as provided in
16 paragraph (g). In cases where the blood alcohol concentration
17 of 0.08 or greater or any amount of a drug, substance, or
18 compound resulting from the unlawful use or consumption of
19 cannabis as covered by the Cannabis Control Act, a controlled
20 substance listed in the Illinois Controlled Substances Act, an
21 intoxicating compound listed in the Use of Intoxicating
22 Compounds Act, or methamphetamine as listed in the
23 Methamphetamine Control and Community Protection Act is
24 established by a subsequent analysis of blood or urine
25 collected at the time of arrest, the arresting officer or
26 arresting agency shall give notice as provided in this Section

1 or by deposit in the United States mail of the notice in an
2 envelope with postage prepaid and addressed to the person at
3 his address as shown on the Uniform Traffic Ticket and the
4 statutory summary suspension and disqualification shall begin
5 as provided in paragraph (g). The officer shall confiscate any
6 Illinois driver's license or permit on the person at the time
7 of arrest. If the person has a valid driver's license or
8 permit, the officer shall issue the person a receipt, in a form
9 prescribed by the Secretary of State, that will allow that
10 person to drive during the periods provided for in paragraph
11 (g). The officer shall immediately forward the driver's license
12 or permit to the circuit court of venue along with the sworn
13 report provided for in paragraph (d).

14 (g) The statutory summary suspension and disqualification
15 referred to in this Section shall take effect on the 46th day
16 following the date the notice of the statutory summary
17 suspension was given to the person.

18 (h) The following procedure shall apply whenever a person
19 is arrested for any offense as defined in Section 11-501 or a
20 similar provision of a local ordinance:

21 Upon receipt of the sworn report from the law enforcement
22 officer, the Secretary of State shall confirm the statutory
23 summary suspension by mailing a notice of the effective date of
24 the suspension to the person and the court of venue. The
25 Secretary of State shall also mail notice of the effective date
26 of the disqualification to the person. However, should the

1 sworn report be defective by not containing sufficient
2 information or be completed in error, the confirmation of the
3 statutory summary suspension shall not be mailed to the person
4 or entered to the record; instead, the sworn report shall be
5 forwarded to the court of venue with a copy returned to the
6 issuing agency identifying any defect.

7 (Source: P.A. 94-115, eff. 1-1-06; 95-201, eff. 1-1-08; 95-382,
8 eff. 8-23-07; revised 11-19-07.)

9 (625 ILCS 5/11-501.2) (from Ch. 95 1/2, par. 11-501.2)

10 Sec. 11-501.2. Chemical and other tests.

11 (a) Upon the trial of any civil or criminal action or
12 proceeding arising out of an arrest for an offense as defined
13 in Section 11-501 or a similar local ordinance or proceedings
14 pursuant to Section 2-118.1, evidence of the concentration of
15 alcohol, other drug or drugs, or intoxicating compound or
16 compounds, or any combination thereof in a person's blood or
17 breath at the time alleged, as determined by analysis of the
18 person's blood, urine, breath or other bodily substance, shall
19 be admissible. Where such test is made the following provisions
20 shall apply:

21 1. Chemical analyses of the person's blood, urine,
22 breath or other bodily substance to be considered valid
23 under the provisions of this Section shall have been
24 performed according to standards promulgated by the
25 Department of State Police by a licensed physician,

1 registered nurse, trained phlebotomist acting under the
2 direction of a licensed physician, certified paramedic, or
3 other individual possessing a valid permit issued by that
4 Department for this purpose. The Director of State Police
5 is authorized to approve satisfactory techniques or
6 methods, to ascertain the qualifications and competence of
7 individuals to conduct such analyses, to issue permits
8 which shall be subject to termination or revocation at the
9 discretion of that Department and to certify the accuracy
10 of breath testing equipment. The Department of State Police
11 shall prescribe regulations as necessary to implement this
12 Section.

13 2. When a person in this State shall submit to a blood
14 test at the request of a law enforcement officer under the
15 provisions of Section 11-501.1, only a physician
16 authorized to practice medicine, a registered nurse,
17 trained phlebotomist, or certified paramedic, or other
18 qualified person approved by the Department of State Police
19 may withdraw blood for the purpose of determining the
20 alcohol, drug, or alcohol and drug content therein. This
21 limitation shall not apply to the taking of breath or urine
22 specimens.

23 When a blood test of a person who has been taken to an
24 adjoining state for medical treatment is requested by an
25 Illinois law enforcement officer, the blood may be
26 withdrawn only by a physician authorized to practice

1 medicine in the adjoining state, a registered nurse, a
2 trained phlebotomist acting under the direction of the
3 physician, or certified paramedic. The law enforcement
4 officer requesting the test shall take custody of the blood
5 sample, and the blood sample shall be analyzed by a
6 laboratory certified by the Department of State Police for
7 that purpose.

8 3. The person tested may have a physician, or a
9 qualified technician, chemist, registered nurse, or other
10 qualified person of their own choosing administer a
11 chemical test or tests in addition to any administered at
12 the direction of a law enforcement officer. The failure or
13 inability to obtain an additional test by a person shall
14 not preclude the admission of evidence relating to the test
15 or tests taken at the direction of a law enforcement
16 officer.

17 4. Upon the request of the person who shall submit to a
18 chemical test or tests at the request of a law enforcement
19 officer, full information concerning the test or tests
20 shall be made available to the person or such person's
21 attorney.

22 5. Alcohol concentration shall mean either grams of
23 alcohol per 100 milliliters of blood or grams of alcohol
24 per 210 liters of breath.

25 (b) Upon the trial of any civil or criminal action or
26 proceeding arising out of acts alleged to have been committed

1 by any person while driving or in actual physical control of a
2 vehicle while under the influence of alcohol, the concentration
3 of alcohol in the person's blood or breath at the time alleged
4 as shown by analysis of the person's blood, urine, breath, or
5 other bodily substance shall give rise to the following
6 presumptions:

7 1. If there was at that time an alcohol concentration
8 of 0.05 or less, it shall be presumed that the person was
9 not under the influence of alcohol.

10 2. If there was at that time an alcohol concentration
11 in excess of 0.05 but less than 0.08, such facts shall not
12 give rise to any presumption that the person was or was not
13 under the influence of alcohol, but such fact may be
14 considered with other competent evidence in determining
15 whether the person was under the influence of alcohol.

16 3. If there was at that time an alcohol concentration
17 of 0.08 or more, it shall be presumed that the person was
18 under the influence of alcohol.

19 4. The foregoing provisions of this Section shall not
20 be construed as limiting the introduction of any other
21 relevant evidence bearing upon the question whether the
22 person was under the influence of alcohol.

23 (c) 1. If a person under arrest refuses to submit to a
24 chemical test under the provisions of Section 11-501.1,
25 evidence of refusal shall be admissible in any civil or

1 criminal action or proceeding arising out of acts alleged to
2 have been committed while the person under the influence of
3 alcohol, other drug or drugs, or intoxicating compound or
4 compounds, or any combination thereof was driving or in actual
5 physical control of a motor vehicle.

6 1.1. If a person leaves the scene of an accident in
7 violation of Article IV of Chapter 11 in which evidence of
8 the person's intoxication or drugged state at the time of
9 leaving the scene is apparent, evidence of leaving the
10 scene shall be admissible in any civil or criminal action
11 or proceeding arising out of acts alleged to have been
12 committed while the person under the influence of alcohol,
13 other drug or drugs, or intoxicating compound or compounds,
14 or any combination thereof was driving or in actual
15 physical control of a motor vehicle.

16 2. Notwithstanding any ability to refuse under this
17 Code to submit to these tests or any ability to revoke the
18 implied consent to these tests, if a law enforcement
19 officer has probable cause to believe that a motor vehicle
20 driven by or in actual physical control of a person under
21 the influence of alcohol, other drug or drugs, or
22 intoxicating compound or compounds, or any combination
23 thereof has caused the death or personal injury to another,
24 that person shall submit, upon the request of a law
25 enforcement officer, to a chemical test or tests of his or
26 her blood, breath or urine for the purpose of determining

1 the alcohol content thereof or the presence of any other
2 drug or combination of both.

3 This provision does not affect the applicability of or
4 imposition of driver's license sanctions under Section
5 11-501.1 of this Code.

6 3. For purposes of this Section, a personal injury
7 includes any Type A injury as indicated on the traffic
8 accident report completed by a law enforcement officer that
9 requires immediate professional attention in either a
10 doctor's office or a medical facility. A Type A injury
11 includes severe bleeding wounds, distorted extremities,
12 and injuries that require the injured party to be carried
13 from the scene.

14 (Source: P.A. 90-43, eff. 7-2-97; 90-779, eff. 1-1-99; 91-828,
15 eff. 1-1-01.)

16 Section 95. No acceleration or delay. Where this Act makes
17 changes in a statute that is represented in this Act by text
18 that is not yet or no longer in effect (for example, a Section
19 represented by multiple versions), the use of that text does
20 not accelerate or delay the taking effect of (i) the changes
21 made by this Act or (ii) provisions derived from any other
22 Public Act.

23 Section 99. Effective date. This Act takes effect upon
24 becoming law.